

U.S. Department of Justice



United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

March 12, 2008

By fax

The Honorable Paul A. Crotty
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: MAR 13 2008

Re: United States v. Luis Rivera, 07 Cr. 481 (PAC)

Dear Judge Crotty:

This matter is scheduled for a pre-trial conference on March 13, 2008. Attached as Exhibit A is the Court's Order, instructing the United States Marshals Service (the "USMS") to transport Mr. Rivera to tomorrow's conference, as well as the "safety valve" proffer scheduled for today. Unfortunately, the USMS did not timely advise defense counsel of the flight time for Mr. Rivera (we understand there was an internal miscommunication at USMS and the miscommunication was not the fault of defense counsel). As a result, Mr. Rivera was not transported to New York today.

Accordingly, the parties respectfully request that this court adjourn the pre-trial conference to March 27, 2008 at a time convenient for the Court, and that this Court "so order" Mr. Rivera's transport under the same terms and conditions outlined in Exhibit A. In the interim, the parties will make arrangements with the United States Marshal Service to transport Mr. Rivera to this District on March 26, 2008 for the "safety valve" proffer and for him to return to Chicago after the pre-trial conference. The parties further request that time be excluded under the Speedy Trial Act, codified as Title 18, United States Code, Section 3161, as it is in the interests of justice to do so.

* Application⁵ GRANTED. The conference is adjourned to
3/27/08 at 2:00 pm in Courtroom 20-C

SO ORDERED: March 13, 2008,

Paul Kelly
HON. PAUL A. CROTty
UNITED STATES DISTRICT JUDGE

cc: Gary Becker, Esq.
Counsel for defendant Luis Rivera

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney

Rua M. Kelly
Rua M. Kelly
Assistant United States Attorney
(212) 637-2471

MEMO ENDORSED

MEMO ENDORSED

Exhibit A

LAW OFFICES OF
GARY G. BECKER, L.L.C.
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March 4, 2008

BY FACSIMILE

Honorable Paul A. Crotty
 United States District Judge
 Southern District of New York
 500 Pearl Street
 New York, New York 10007

Re: *United States v. Luis Rivera, 07 Cr. 481 (PAC)*

Dear Judge Crotty:

I write on behalf of Luis Rivera to respectfully request that your Honor direct the United States Marshals Service to arrange and pay for his round-trip transportation from Chicago to New York, and overnight accommodations while in New York, in connection with his continued safety valve session with the United States Attorney's Office and his required appearance before this Court on March 13, 2008.

Mr. Rivera lives in Chicago, Illinois. At the time of his arraignment, he was found indigent by the Court, and he continues to be indigent today. Mr. Rivera is scheduled to safety valve proffer to the government on March 12, 2008, and to appear before your Honor on March 13, 2008.

In order to facilitate the safety valve proffer and the subsequent appearance, we respectfully request that your Honor direct the United States Marshals Service, pursuant to 18 U.S.C. §4285, to (1) arrange and pay for Mr. Rivera's air transportation from Chicago to New York City on March 12, 2008; (2) arrange and pay for one night's hotel accommodations in New York City; and, (3) arrange and pay air transportation from New York City to Chicago on March 13, 2008, following his appearance before this Court.

MEMO ENDORSED

MEMO ENDORSED

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LAW OFFICES

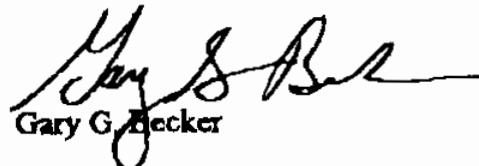
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Honorable Paul A. Crotty
March 4, 2008
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I thank the Court for its consideration.

Respectfully submitted,



Gary G. Becker

cc: Rua M. Kelly, AUSA